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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,959	07/21/2005	Bunya Sato	450100-04905	2061
7590	10/14/2009		EXAMINER	
William S Frommer Frommer Lawrence & Haug 745 Fifth Avenue New York, NY 10151			RHEE, JANE J	
			ART UNIT	PAPER NUMBER
			1795	
			MAIL DATE	DELIVERY MODE
			10/14/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/542,959	<b>Applicant(s)</b> SATO, BUNYA
	<b>Examiner</b> JANE RHEE	<b>Art Unit</b> 1795

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 30 September 2009.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-28 is/are pending in the application.

4a) Of the above claim(s) 10-28 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-9 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/0256/05)  
 Paper No(s)/Mail Date 7/21/05

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

Applicant's election with traverse of species a in the reply filed on 9/30/09 is acknowledged. The traversal is on the ground(s) that it is not a burdensome search. This is not found persuasive because the species are deemed to lack unity because they are not so linked as to form a single general inventive concept.

The requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3,5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubota (JP 2003019569).

Kubota discloses a lead terminal for electrically connecting a first connected body and a second connected body, the lead terminal being a plate material consisting of conductive metal (figure 7 number 14), the lead terminal including; a welding portion (figure 7 number 14,13a,13b) in which electricity is caused to flow in the state caused to be in contact with an external terminal of the first connected body so that the welding portion is resistance-welded to the external terminal of the first connected body; a connecting portion (figure 7 number 4) connected to an external terminal of the second

connected body; and a conductive portion positioned between the welding portion and the connecting portion, and serving to allow these portions to electrically conduct, wherein the welding portion is formed so that its thickness is thinner than thickness of the conductive portion (welding portion is thinner b/c of the welding electrodes).

As to claim 2, Kubota discloses wherein plural welding portions are provided as the welding portion (figure 7).

As to claim 3, Kubota discloses wherein the welding portion is a recessed portion provided at positions opposite to each other of both principal surfaces of the plate material, or a predetermined position of one principal surface of the plate material (figure 7).

As to claim 5, Kubota discloses wherein the connecting portion is formed so that its thickness is thinner than the thickness of the conductive portion (conductive material can be multiple layers as shown in figure 10 number 3).

As to claim 6, Kubota discloses wherein the conductive metal contains any one kind or plural kinds of nickel, nickel alloy, iron, iron alloy, stainless steel, zinc, zinc alloy, copper, copper alloy, silver, silver alloy, gold, gold alloy, platinum, platinum alloy, aluminum, aluminum alloy, molybdenum, molybdenum alloy, tungsten, tungsten alloy, titanium, titanium alloy, chromium, chromium alloy, zirconium, zirconium alloy, beryllium, beryllium alloy, rhodium, and rhodium alloy (figure 10).

As to claim 7, Kubota discloses wherein the conductive portion is formed by a laminated body in which plural layers of a first conductive metal having a first

conductivity and plural layers of a second conductive metal having a second conductivity are laminated (figure 10).

As to claim 8, Kubota discloses wherein the welding portion consists of the first conductivity metal having the first conductivity lower than the second conductivity (Kuboa discloses that the conductive material can have multiple layers with Al and Ni, therefore would have the first conductivity metal having the first conductivity lower than the second conductivity).

As to claim 9, Kubota discloses wherein the first conductivity metal contains any one kind or plural kinds of nickel, nickel alloy, iron, iron alloy, stainless steel, zinc, and zinc alloy, and the second conductivity metal contains any one kind or plural kinds of copper, copper alloy, silver, silver alloy, gold, gold alloy, platinum, platinum alloy, aluminum, aluminum alloy, tungsten, tungsten alloy, beryllium, beryllium alloy, rhodium, and rhodium alloy (figure 10 number 3).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota.

Kubota discloses the lead terminal described above. Kubota fail to disclose wherein in the case where plural welding spots (points) of the welding portion and the

external terminal of the first connected body are provided, a slit or slits is or are formed between these welding spots. It would have been obvious to one having ordinary skill in the art at the time applicant's invention was made to provide, Kubota with wherein in the case where plural welding spots (points) of the welding portion and the external terminal of the first connected body are provided, a slit or slits is or are formed between these welding spots in order to reduce surface area of the conductive material in absence of unexpected results.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JANE RHEE whose telephone number is (571)272-1499. The examiner can normally be reached on M-F 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jane Rhee/  
Primary Examiner, Art Unit 1795